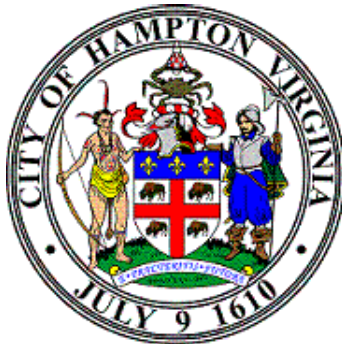


City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, May 09, 2012

7:00 PM

Council Chambers, 8th Floor, City Hall

City Council

***Ross A. Kearney, II, Will Moffett, Joseph H. Spencer, II,
Christopher G. Stuart, Donnie R. Tuck, George E. Wallace,
Molly Joseph Ward, Mayor***

Staff:

Mary Bunting, City Manager

Cynthia Hudson, City Attorney

Katherine K. Glass, CMC, Clerk of Council

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WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Miscellaneous New Business
- (6) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Christopher G. Stuart

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items

1. **12-0157** Resolution to Accept and Appropriate the 2012 Four-for-Life Aid to Locality Funds in the Amount of \$111,083.96 from the Commonwealth of Virginia--Office of Emergency Medical Services to Hampton Fire & Rescue.
2. **12-0158** Resolution to Accept and Appropriate a Virginia Department of Fire Programs Training Mini Grant to Purchase Materials to Build a Roof Ventilation and Trench Cut Prop for Hampton Division of Fire & Rescue's Training Group.
3. **12-0159** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of Funds for the 2012 Summer Food Service Program for Children Received from the U.S. Department of Agriculture
4. **12-0160** Resolution designating Cherry, Bekaert & Holland, LLP as the Independent Auditor of the City of Hampton, Virginia for the fiscal years ending June 30, 2012, 2013 and 2014 with an option to extend contractually through 2016, and authorizing the City Manager to execute a contract with Cherry, Bekaert & Holland, LLP.
5. **12-0162**
Resolution to Accept and Appropriate Funding Awarded to the City of Hampton, Division of Fire & Rescue from the Office of Emergency Medical Services--EMS Training Equipment Special Initiative Grant for Accredited ALS Training Programs
6. **12-0199** Approval of the minutes from the afternoon session of June 8, 2011; the afternoon and public comment sessions of March 28, 2012; the afternoon, public comment and evening sessions of April 11, 2012; and the public comment period of April 25, 2012.

PRESENTATIONS, PROCLAMATIONS, AWARDS

PUBLIC HEARINGS**Fiscal Year Budget Hearings**

7. **12-0196** Public Hearing to Receive Citizens' Comments Relative to the Proposed Real Estate Property Tax Rate of \$1.05 per \$100 of Assessed Value
8. **12-0195** Public Hearing to Receive Citizens' Comments Relative to the:
Fiscal Year 2013 General Fund
Capital Improvement Fund
Solid Waste Management Fund
Stormwater Management Fund
Wastewater Management Fund
Fleet Services Fund
Risk Management Fund
Hampton Coliseum Fund
Hampton Roads Convention Center Fund
Proposed Personal Property Tax Rate
Fiscal Year 2013 Proposed Cigarette Tax Rate Increase
Proposed Meals Tax Increase
Information Technology Fund
The Hamptons Golf Course budget
The Woodlands Golf Course budget
Economic Development Fund
Proposed Commercial Fire Code Inspection and Fire Code Operational Permits Fee
Proposed Residential and Commercial Stormwater Fee Increases
Proposed Local Vehicle License Fee Increase
Proposed Sewer User Surcharge Increase, and
Proposed Increase to Permit and Inspection Fees.

GENERAL ITEMS**Budget Ordinances Requiring Two Readings (May 2 and May 9, 2012)**

9. **12-0173** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
10. **12-0174** An Ordinance to Adopt a Budget and Appropriate Monies for the Capital Budget for the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
11. **12-0175** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Solid Waste Management Fund for the Fiscal Year beginning July 1, 2012 and ending June 30, 2013.

12. **12-0176** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Stormwater Management Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
13. **12-0177** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Wastewater Management Fund for the City of Hampton, Virginia for the Fiscal Year Beginning July 1, 2012 and ending June 30, 2013.
14. **12-0178** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Fleet Services Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
15. **12-0180** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Risk Management Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
16. **12-0183** An ordinance to adopt a budget and appropriate monies for the general expenses of the Hampton Coliseum Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013.
17. **12-0184** An ordinance to adopt a budget and appropriate monies for the general expenses of the Hampton Roads Convention Center Fund for the fiscal year beginning July 1, 2012 and ending June 30, 2013.
18. **12-0186** An Ordinance to Set the Tax Rate on Tangible Personal Property, Vehicles Without Motive Power (Manufactured Homes), Motor Vehicles Specially Equipped to Provide Transportation for Physically Handicapped Individuals, Machinery and Tools, Machinery and Tools Used Directly in the Manufacture of Precision Investment Castings; Boats or Watercraft Weighing Five Tons or More, Not Used Solely For Business Purposes; Boats or Watercraft Weighing Less Than Five Tons, Not Used Solely for Business Purposes; Boats or Watercraft Weighing Five Tons or More, Used for Business Purposes Only; Boats or Watercraft Weighing Less Than Five Tons, Used For Business Purposes Only and Privately Owned Camping Trailers and Motor Homes Used For Recreational Purposes Only, and Motor Vehicles Owned Regularly Used by Disabled Veterans in the City of Hampton, Virginia for the Calendar Year Beginning January 1, 2013 and Ending on December 31, 2013.
19. **12-0187** An Ordinance to Set the Tax Rate on Real Properties in the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.

20. **12-0163** An Ordinance to Amend and Re-enact Chapter 37 "Taxation", Article X "Cigarette Tax", Section 37-302 "Levied; Amount" of the Code of The City of Hampton, Virginia, to increase the tax levied and imposed upon the sale of cigarettes to forty-two and one-half (42.5) mills per cigarette (\$.85 per pack of twenty).
21. **12-0164** An Ordinance to Amend and Re-enact Chapter 37 "Taxation", Article VII "Tax On Food And Beverages Sold By Food Establishments", Section 37-227 "Levied; Amount" of the Code of the City of Hampton, Virginia, to increase the tax levied and imposed upon the sale of all food and beverages sold in the city in or from a food establishment to seven and one-half (7.5) percent.

Budget Ordinances Requiring One Reading (May 9, 2012)

22. **12-0179** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of the Information Technology Fund for the City of Hampton, Virginia, for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
23. **12-0181** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of The Hamptons Golf Course for the Fiscal Year Beginning July 1, 2012 and ending June 30, 2013.
24. **12-0182** An Ordinance to Adopt a Budget and Appropriate Monies for the General Expenses of The Woodlands Golf Course for the Fiscal Year Beginning July 1, 2012 and ending June 30, 2013.
25. **12-0185** An ordinance to adopt a budget and appropriate monies for the Economic Development Fund for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013.
26. **12-0169** Ordinance To Amend And Reenact Chapter 14, Article II, Entitled "Fire Prevention And Protection" By Adding Thereto A New Section 14-29 Entitled "Fees For Commercial Fire Code Inspections And Fire Code Operational Permits"
27. **12-0170** An Ordinance to Amend and Re-enact Chapter 33.1 "Stormwater Management", Article II "Service Charges and Revenues", Section 33.1-21 "Same-Billing, Payment, Interest, Fee and Lien" of the Code of The City of Hampton, Virginia, to increase the Residential Stormwater Fee to \$6.41 per month and the Commercial Stormwater Fee to \$6.41 per 2,429 sq. ft. of impervious area.

28. **12-0171** An Ordinance to Amend and Re-enact Chapter 21 "Motor Vehicles and Traffic", Article II "Local Vehicle License", Section 21-41 "Amount of Fee – Generally" of the Code of The City of Hampton, Virginia, to increase the Local Vehicle License Fee to \$35.00 for Motor Vehicles up to Two (2) Tons and \$40.00 for Motor Vehicles Over Two (2) Tons.
29. **12-0172** An Ordinance to Amend and Re-enact Chapter 30 "Sewers and Sewage Disposal", Article III "Sewer Use Charges", Section 30-48 "Amount" of the City of Hampton, Virginia, to increase the sewer user surcharge to sixty-six cents (\$0.66) per 100 cu. ft. of water consumption.
30. **12-0191** Ordinance To Amend And Reenact Chapter 9, Article II Of The Code Of The City Of Hampton Entitled "Building And Development Regulations", Article II "Building Code", Division 2 "Permit And Inspection Fees", Section 9-41 Entitled "Payment Prerequisite To Issuance Or Amendment Of Permit; No Refunds" To Increase The Fees By Ten Dollars (\$10.00)

Ordinances

31. **12-0197** Ordinance To Amend And Reenact Chapter 38 Of The Code Of The City Of Hampton Virginia Entitled "Vehicles For Hire", Division 5 Entitled "Fares", Section 38-127, Entitled "General Rates Prescribed; Charging Different Rates" And Section 38-129 Entitled "Charge For Waiting Time" To Increase The Rate Allowed To Be Charged For The First On-Seventh Mile From \$1.75 to \$2.75, And Increase The Rate For Each Additional One-Seventh Mile From \$0.25 To \$0.30 And To Repeal Section 38-146 Of Division 7 Entitled "Fuel Surcharge" To Eliminate The \$1.00 Fuel Surcharge.

Resolutions

32. **12-0168** Resolution Authorizing the issuance of General Obligation Public Improvement Refunding Bonds of the City of Hampton in the maximum principal amount not to exceed \$87,000,000 to refund certain General Obligation Bonds previously issued by the City, and providing for the form, details and payment of such Bonds.

Appointments

33. **12-0117** to consider nominations to the Virginia Municipal League 2012 Policy Committees
34. **12-0161** to consider appointments to the Neighborhood Commission

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

MISCELLANEOUS NEW BUSINESS

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov